

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRYBERRY COMPANY, LLC., et al.,

Plaintiffs,

Civil Action No. 12-CV-15612

vs.

HON. BERNARD A. FRIEDMAN

BLUE CROSS BLUE SHIELD
OF MICHIGAN,

Defendant.

ORDER DENYING PLAINTIFFS' MOTION FOR CONSOLIDATION

This matter is presently before the Court on plaintiffs' motion for consolidation [docket entry 14], in which plaintiffs ask that the Court consolidate this case with nine, related, recently-filed cases¹ or, alternatively, to reassign this case to Judge Roberts as a companion to other, related, older cases on her docket.²

¹ These other nine cases are: *Morbark, Inc. v. BCBSM*, 12-CV-12843 (E.D. Mich.) (Roberts, J.); *Lumbermen's, Inc. v. BCBSM*, 12-CV-15606 (E.D. Mich.) (Duggan, J.); *Computer and Eng'g Servs., Inc. v. BCBSM*, 13-CV-15611 (E.D. Mich.) (Duggan, J.); *Adrian Steel Co. v. BCBSM*, 12-CV-15614 (Roberts, J.); *ADAC Plastics, Inc. v. BCBSM*, 12-CV-15615 (E.D. Mich.) (Hood, J.); *East Jordan Plastics, Inc. v. BCBSM*, 12-CV-15621 (E.D. Mich.) (Drain, J.); *Petoskey Plastics, Inc. v. BCBSM*, 12-CV-15642 (E.D. Mich.) (Edmunds, J.); *VEC (USA), Inc. v. BCBSM*, 12-CV-15671 (E.D. Mich.) (Borman, J.); *Premier Tool & Die Cast Corp. v. BCBSM*, 12CV-15685 (E.D. Mich. (Steeh, J.).

² The cases on Judge Roberts' docket are: *Hi-Lex Controls, Inc. v. BCBSM*, 11-CV-12557 (assigned to J. Roberts); *Borroughs Corp. v. BCBSM*, 11-CV-12565 (reassigned from J. Cohn to J. Roberts on 6-21-11); *Flexfab Horizons Int'l, Inc. v. BCBSM*, 11-CV-14213 (reassigned from J. O'Meara to J. Roberts on 10-19-11); *Am. Seating Co. v. BCBSM*, 11-CV-14326 (reassigned from J. Hood to J. Roberts on 10-26-11); *Great Lakes Castings LLC v. BCBSM*, 11-CV-14328 (reassigned from J. Cox to J. Roberts on 10-14-11); *Star of the West Milling Co. v. BCBSM*, 11-CV-14332 (reassigned from J. Ludington to J. Roberts on 10-19-11); *Magna Int'l of Am., Inc. v. BCBSM*, 11-CV-14828 (reassigned from J. Friedman to J. Roberts on 11-4-11); *Eagle Alloy, Inc. v. BCBSM*, 11-CV-15062 (assigned to J. Roberts); *Whitehall Prods., LLC v. BCBSM*, 11-CV-15136 (reassigned from J. Zatkoff to J. Roberts on 12-9-11); and *Ironworkers Local 340*

While plaintiffs make a convincing argument as to the benefits of consolidation, the Court has no ability to order the requested consolidation because all of the other, related cases are assigned to other judges. Nor does the Court have the power to reassign this case unilaterally to another judge. Under E.D. Mich. LR 83.11(b)(7)(D), reassignment is permitted only with the consent of the judge with the lower case number, and Judge Roberts has indicated she does not believe the instant case is a companion to any of hers. Accordingly,

IT IS ORDERED that plaintiffs' motion for consolidation is denied.

Dated: February 12, 2013

s/ Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE